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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

ITL.1040US (P14807)

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on January 16, 2007

Signature

Typed or printed
nameCynthia L. Hayden

Application Number

10/669,205

Filed

September 24, 2003

First Named Inventor

Sarah E. Kim

Art Unit

2812

Examiner

Stanetta D. Isaac

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒ attorney or agent of record.
Registration number 28,994☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Signature

Timothy N. Trop

Typed or printed name

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Telephone number

January 16, 2007

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.☒ *Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Sarah E. Kim et al.

Serial No.: 10/669,205

Filed: September 24, 2003

For: Integrated Re-Combiner For
Electroosmotic Pumps Using
Porous Frits

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Art Unit: 2812

Examiner: Stanetta D. Isaac

Atty Docket: ITL.1040US
P14807

Assignee: Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Pre-appeal review is requested in view of the following remarks.

**1. Does Arik Teach Use of a Catalyst to
Remove Gases from a Circulating Liquid?**

The claim requires a catalyst material to remove gases from the circulating liquid. The catalyst material in the cited reference is a catalyst that causes carbon nanotubes to grow. See column 3, lines 21-35.

The final rejection notes that liquid is evaporated in the catalyst lined trenches. But the catalyst has nothing whatsoever to do with that evaporation. Thus, the catalyst is not to remove gases from the circulating liquid, but, rather, merely to grow carbon nanotubes. The fact that the

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catalyst for growing carbon nanotubes is there when liquid naturally evaporates off is of no moment since the claimed limitation is not met.

Reconsideration is requested.

2. Does Arik Teach Channels that Align with the Trench to Allow Fluid Circulation Completely Across the Substrate from One Side of the Substrate to the Other and Through the Trench?

The claim requires channels that align with the trench to allow fluid circulation completely across the substrate.

The Examiner suggests that the grooves can be formed on both the top and the bottom of the combined substrates. But, even if this is so, the groove is already shown in only one of the two opposed substrates. Forming the trench partially in the top substrate and partially in the bottom does not extend the sideways length of the trench. It is still too short, as it was before, even if this modification were attempted.

Further, it is suggested that Arik implies that the grooves would have been formed across either wafer from side to side since the fluid flows through the channels formed within the grooves. But this is incorrect. The length of the channels is better shown in Figure 4. They merely radiate outwardly from the center, but do not go completely across the substrate, as indisputably shown there.

Reconsideration is requested for this additional reasons.

3. Does Arik Teach Protecting the Catalyst When Forming the Channels?

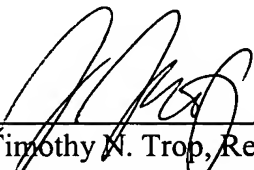
The claim also requires protecting the catalyst when forming the channels.

Arik teaches using a material to define the position of the catalyst. For example, that material may be spread apart and may have openings where the catalyst goes. Thus, any place where the catalyst overlaps the material, the catalyst is removed and anywhere else it stays. But, necessarily, that material cannot protect the catalyst when forming the channels because that material is only in the places where the catalyst does not end up. As a result, it leaves the catalyst always unprotected and, necessarily, the catalyst is unprotected when forming the channels. Moreover, it appears that the channels are formed before the catalyst is deposited.

For all these reasons, reconsideration is requested.

Respectfully submitted,

Date: January 16, 2007



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